

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INVENSENSE, INC.

PLAINTIFF,

v.

CIV. A. NO. 2:13-CV-405

STMICROELECTRONICS, INC.

DEFENDANT.

**DECLARATION OF KEVIN FILLIP IN SUPPORT OF
DEFENDANT.'S MOTION TO TRANSFER**

I, Kevin Fillip, hereby declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney admitted to the Bar of the State of Texas. I am Deputy General Counsel of Defendant STMicroelectronics, Inc. ("ST"). I am over eighteen (18) years of age, and I am otherwise fully competent to make this Declaration. I am aware of the facts of this case, and I make this declaration upon personal knowledge and following a reasonable investigation.

2. I have reviewed the Amended Complaint for Patent Infringement filed by InvenSense, Inc. ("InvenSense") in the above-entitled matter. The Amended Complaint for Patent Infringement filed by InvenSense identifies the LSM330DLC, LSM330, L3G4200D, and A3G425D as products accused of infringing U.S. Patent No. 8,347,717; and the LSM330 as a product accused of infringing U.S. Patent Nos. 8,351,773 and 8,250,921. The L3G4200D and A3G425D are microelectromechanical products that incorporate a gyroscope that senses rotational motion. The LSM330 and LSM330DLC are microelectromechanical products that

include both a gyroscope and one or more accelerometers. These devices are referred to herein as the “MEMS Devices.”

3. I have reviewed the District Map available at www.txed.uscourts.gov and 28 U.S.C. § 124, which I understand defines the counties within each United States District for the State of Texas including the United States District Court for the Eastern District of Texas (the “Eastern District of Texas”).

4. ST is a Delaware corporation with its headquarters and principal place of business in Coppell, Texas, in the Northern District of Texas. ST does not own any property in the Eastern District of Texas; its employees do not frequently travel or conduct business in the Eastern District of Texas; and it maintains no offices, phone, fax or bank accounts there. In addition, ST’s business records confirm that it has not sold and/or marketed the MEMS Devices in the Eastern District of Texas.

5. ST does not design or manufacture any of the MEMS Devices. The engineers responsible for the design of the MEMS Devices are located in Milan, Italy.

6. ST maintains offices and significant business operations in the United States District Court for the Northern District of California (the “Northern District of California”). ST currently employs approximately 185 people in the Northern District of California. Additionally, ST employees in the Northern District of California are responsible for sales and marketing activities involving the MEMS Devices.

7. ST does not have any relevant files, records, documentation, technical material, information, or witnesses regarding the MEMS Devices that are located or maintained in the Eastern District of Texas. Two of ST’s Coppell, Texas based employees participated in pre-litigation licensing discussions that took place in 2011 and 2012 in the Northern District of

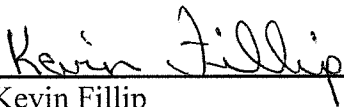
California between ST and InvenSense. Both of these potential witnesses work at ST's Coppel, Texas headquarters within the Northern District of Texas.

8. ST has sold MEMS Devices directly to customers located in the Northern District of California. Additionally, several of ST's distributors of the accused MEMS Devices including, Arrow Electronics, Avnet and Nu Horizons, who are unrelated third parties, maintain offices in the Northern District of California. None of ST's distributors of the accused MEMS Devices maintain offices in the Eastern District of Texas with the exception of Arrow and Avnet who each maintain a single sales office in Plano, Texas. ST has not sold any of the accused MEMS Devices to these Arrow or Avnet sales offices in Plano, Texas.

9. ST does not maintain a website through which customers can purchase the accused MEMS Devices from ST. The website www.st.com is neither owned nor controlled by ST.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 17, 2013.


Kevin Fillip